

REMARKS

This amendment is in response to the Official Action dated July 8, 2004, the shortened statutory period for filing a response on October 8, 2004. Applicant submits herewith a one-month extension petition to reset the deadline for responding to the Official Action to and including November 8, 2004. In view of the following remarks, reconsideration of the Examiner's rejections and Notice of Allowance of all pending claims is respectfully requested.

Claims 1-10 are pending in the present application. Claim 1 has been amended. However, Applicant has not added any additional claims or cancelled claims by way of this amendment. As such, claims 1-10 remain pending for the Examiner's consideration.

In paragraphs one and two of the Official Action, the Examiner rejected claims 1 through 8 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,499,751 issued to Beleski, Jr. ("*Beleski*"). Of claims 1 through 8, only claim 1 is independent while claims 2 through 8 ultimately depend from claim 1. Accordingly, if claim 1 is shown to overcome the 35 U.S.C. § 102(e) rejection over *Beleski*, each of claims 2-8 are expected to be likewise allowable, though each of such claims contains features that also define over the *Beleski* reference. Accordingly, only the features of claim 1 will be specifically addressed.

The Examiner contends that *Beleski* teaches each of the features of claim 1, including a first pivot axle and a second pivot axle inclined relative to the front column. As amended, claim 1 requires that the inclines of the first pivot axle and second pivot axle be either both upward or both downward. Downwardly extending pivot axles are shown in at least Fig. 1, and upwardly inclined pivot axles are shown in at least Fig. 7. Each are otherwise described as follows:

The front column 2 includes two pivot axles 21, 22 extended from the first tube 20, and inclined relative to the front tube 20. For example, as shown in Fig. 1, the pivot axles 21, 22 are illustrated to be extending inclinedly downward relative to the front tube 20. However, alternatively, as shown in Fig. 7, the pivot axles 21, 22 may also be extended inclinedly upward relative to the front tube 20.

Claim 1 as amended is therefore expected to be patentable over *Beleski* because *Beleski* teaches inclined pivot axles which are inclined in opposite directions, i.e. one up and one down. For example, the dotted lines of Fig. 2 represent a particular configuration of a yoke as taught in *Beleski*. As shown, the yoke is inclined downwardly on one side and inclined upwardly on the other. Figures 8A-8D disclose similar arrangements. In fact, *Beleski* only teaches inclined pivot axles in situations where one pivot axle is inclined upwardly while the other is inclined downwardly. It is therefore respectfully requested that the § 102(e) rejections of claims 1-10 be reconsidered and withdrawn.

In paragraphs three and four of the Official Action, the Examiner rejected claims 9 and 10 as being obvious in light of *Beleski* in further view of U.S. Patent No. 6,485,039 issued to Ming-Fu ("*Ming-Fu*"). Claims 9 and 10 ultimately depend from claim 1. As it is anticipated that claim 1, as amended, is in a condition for allowance, no separate argument as to allowance of claims 9 and 10 is presently warranted. As such, claims 9 and 10 are anticipated to be allowable.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he telephone Applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: November 5, 2004

Respectfully submitted,

By Sam Charney
Scott E. Charney
Registration No.: 51,548
LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090
(908) 654-5000
Attorney for Applicant